IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WP(C).No. 19467 of 2007(P)

PETITIONER:

R.SANKARA NARAYANAN, R.S.INDUSTRIES,
OPP.R.M.T.C. COLONY, BODI ROAD,
MARIAMMA KOYILPATTI, THENI-625 547.

BY ADV. SRI.M.C.JOHN

RESPONDENTS:

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1. THE DIVISIONAL FOREST OFFICER,
KOTTAYAM.

2. THE FOREST RANGE OFFICER,
ERUMALI RANGE, ERUMELI, KOTTAYAM.

3. THE DEPUTY RANGER,
MURINJAPUZHA FOREST STATION,
ERUMELI, KOTTAYAM.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD
SPL. GOVERNMENT PLEADER SRI. M.P. PRAKASH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. Siri Jagan, J.

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W.P(C) No. 19467 of 2007

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Dated this, the 5th July, 2007.

J U D G M E N T

The petitioner is a registered dealer in raw materials for manufacturing of Agar Bathi. One of the ingredients of Agar Bathi is Cinamon bark. This is collected from private estate in the High Ranges. This is popularly known in Kerala as Karappa, Wayana and Kulamavu. Since the same is a forest produce, the petitioner has to obtain passes from the Forest Authorities for removal of the same. Accordingly, the petitioner debarked the product and kept it ready for removal. But his complaint is that his application for passes is not being considered by the respondents on the ground that he had not intimated in advance before debarking. The petitioner points out that by Ext.P3 judgment, this Court has held that it is not necessary to inform the authorities before debarking and it would be sufficient, if he informs after the debarking. The petitioner, therefore seeks the following reliefs.

> "a) to issue a writ of mandamus directing the respondents to process Ext.P6 application and to pass orders issuing passes for the transportation of the Wazhana and Kulamavu barks applied for in Ext.P6.
>
> b) to direct the 2nd respondent to forward the application Ext.P6 to the 1st respondent forthwith duly recommended.
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> c) to issue such other writ, order or direction including interim orders as that are necessary in the circumstances of the case and to allow this writ petition with costs."

2. The learned Government pleader submits that the application was received only on 29.6.07 and the same would be forwarded to the Divisional Forest Officer shortly.

3. In the above circumstances, I direct the respondents to consider the petitioner's application and pass orders thereon in accordance with my judgment in Ext.P3. This shall be done within a period of two weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE.

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